

A

B I L L

TO

Amend the Fisheries (Ireland) Acts, 1842 to 1901.

A.D. 1909.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 **1.**—(1) A decision under section thirty-three of the Fisheries (Ireland) Act, 1842, altering a close season shall be given effect to by the making of a byelaw, and sections ninety-one to ninety-three of the said Act of 1842 shall apply to any such byelaw.
- 10 (2) *Any expenses incurred by the Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") in relation to an application under the said section thirty-three, or proceedings consequent thereon, shall, subject to the provisions of this section, be paid out of money provided by Parliament.*
- 15 (3) The Department may, if they think fit, refuse to call a meeting under the said section thirty-three, unless and until the applicant deposits in the office of the Department such sum as will be in their opinion sufficient to defray the said expenses.
- 20 (4) The Department if, after holding the inquiry, they consider that the application ought not to have been made, may order that the said expenses, or such portion thereof as the Department may determine, shall be defrayed by the applicant, and in such case any money lodged under the foregoing provisions of this section shall be applied for the purpose of defraying the
- 25 same, and if the sum so deposited is not sufficient, or if no money has been lodged under this section, then the balance or the full amount, as the case may be, of the expenses ordered
- [Bill 254.]

Amendment
of 5 & 6 Vict.
c. 106, s. 33
with respect
to mode of
altering
close season
and ex-
penses of
application.

A.D. 1909. — to be defrayed by the applicant shall be paid by him, and may be recovered from him before a court of summary jurisdiction as a debt.

(5) Any money deposited under this section which is not applied for the purposes of the said expenses shall be paid to 5 the applicant.

Regulations with respect to the artificial propagation of salmon or trout or eels.

2.—(1) The Department may, if they think fit, grant to any person a licence authorising him for the purposes of artificial propagation or cultivation, or for scientific purposes, to take or have in his possession, whether during an open or close season, 10 any salmon or trout, or to take, sell, purchase, or have in his possession the ova or fry of salmon or of trout or the fry of eels.

(2) A licence under this section shall contain such conditions as may be imposed therein by the Department, and may authorise the taking of fish by any means defined therein. 15

(3) If any person having a licence under this section acts in contravention of any condition contained in his licence, he shall be liable, on summary conviction, to a penalty not exceeding *ten pounds*, and the licence shall, upon any such conviction, become null and void. 20

32 & 33 Vict.
c. 92.

(4) Section sixteen of the Fisheries (Ireland) Act, 1869 (which imposes penalties for fishing with fixed engines), shall not apply in the case of a person using any such engine under the authority and in accordance with the conditions of a licence under this section. 25

26 & 27 Vict.
c. 114.

(5) So much of section twenty-two of the Salmon Fishery (Ireland) Act, 1868, as exempts from the application of that Act persons catching, or otherwise dealing with, fish, for the purposes in the said section mentioned shall be repealed.

Short title and construction.

3. This Act may be cited as the Fisheries (Ireland) Act, 30 1909, and may be cited and shall be construed as one with the Fisheries (Ireland) Acts, 1842 to 1901.

Repeal.

4. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. 35

SCHEDULE.

A.D. 1909.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5 5 & 6 Vict. c. 106.	The Fisheries (Ireland) Act, 1842	Section thirty-four.
11 & 12 Vict. c. 92.	The Fisheries (Ireland) Act, 1848	Section thirty-nine so far as unrepealed.
26 & 27 Vict. c. 114.	The Salmon Fishery (Ireland) Act, 1863	Section twenty-two down to "purposes and".
10 58 & 59 Vict. c. 29.	The Fisheries Close Season (Ireland) Act, 1895.	The whole Act.

Fisheries (Ireland).

A

B I L L

To amend the Fisheries (Ireland) Acts,
1842 to 1901.

Presented by Mr. T. W. Russell.

*Ordered, by The House of Commons, to be Printed,
15 June 1909.*

PRINTED BY HYRE AND SPOTTISWOODE, LTD.,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, LTD., Patern Lane, E.C.4, and,
32, Abingdon Street, Westminster, S.W.; or
OLIVER and BORN, Tweeddale Court, Edinburgh; or
R. POWSONBY, 116, Grafton Street, Dublin.

[Price ½d.]

[Bill 254.]